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Approved for use through 10/31/2000. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | |
|--|---------------------|--------------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No. | 05882.0147.NPUS01 |
| | First Inventor | Daniel Afar, et al. |
| | Title | DIAGNOSIS OF ZD1839 RESISTANT TUMORS |
| | Express Mail | EL615212816US |

PTO
17302 US
10/633486
07/31/03

APPLICATION ELEMENTS

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

See MPEP Chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **94**]
(preferred arrangement set forth below)
-Descriptive title of the invention
-Cross reference to Related Applications
-Statement Regarding Fed Sponsored R & D
-Reference to sequence listing, a table,
or a computer program listing appendix
-Background of the Invention
-Brief Summary of the Invention
☒ -Detailed Description
☒ Claim(s)
☒ -Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
5. ☐ Oath or Declaration [Total Pages ☐]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuational divisional with Box 17 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☒ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Check for \$1,008.00.....

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: /

Prior application information: Examiner Group I Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 27194 or ☐ Correspondence address below

| | | | | | | |
|---------|----------------------------------|-----------|----------------|----------|----------------|--|
| Name | Howrey Simon Arnold & White, LLP | | | | | |
| | 301 Ravenswood Avenue | | | | | |
| Address | Box 34 | | | | | |
| City | Menlo Park | State | CA | Zip Code | 94025 | |
| Country | USA | Telephone | (650) 463 8109 | Fax | (650) 463 8400 | |

| | | | |
|-------------------|-------------------------------------|------------------|---------------|
| NAME (Print/Type) | Albert P. Halluin/Lorelei P. Westin | Registration No. | 25,227/52,353 |
| Signature | | Date | July 31, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL
For FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$1,008.00**Complete if Known**

| | |
|----------------------|-------------------|
| Application Number | Not Yet Assigned |
| Filing Date | July 31, 2003 |
| First Named Inventor | Daniel Afar |
| Examiner Name | Not Yet Assigned |
| Group Art Unit | Not Yet Assigned |
| Attorney Docket No. | 05882.0147.NPUS01 |

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Acct. No. **08-3038**Deposit Account Name **Howrey Simon Arnold & White, LLP**

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money ☐ Other
Order**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101 | 750 | 201 | 375 | Utility filing fee | \$750.00 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 520 | 207 | 260 | Plant filing fee | |
| 108 | 750 | 208 | 375 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) \$750.00**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 25 | 5 | \$18.00 | \$90.00 |
| Independent Claims | 2 | \$84.00 | \$168.00 |
| Multiple Dependent | | | \$0.00 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$258.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee | Entity Fee | Small Fee | Entity Fee | Fee Description | Fee Paid |
|-----------|------------|-----------|------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 410 | 216 | 205 | Extension for reply within second month | |
| 117 | 930 | 217 | 465 | Extension for reply within third month | |
| 118 | 1,450 | 218 | 725 | Extension for reply within fourth month | |
| 128 | 1,970 | 228 | 985 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,300 | 241 | 650 | Petition to revive - unintentional | |
| 142 | 1,300 | 242 | 650 | Utility issue fee (or reissue) | |
| 143 | 470 | 243 | 235 | Design issue fee | |
| 144 | 630 | 244 | 315 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 750 | 246 | 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 750 | 249 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 750 | 279 | 375 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____
* Reduced by Basic Filing Fee Paid**SUBTOTAL (3) (\$)****SUBMITTED BY**Name (Print/Type) **Albert P. Halluin/Lorelei P. Westin**Registration No. **25,227/52,353**
(Attorney/Agent)**Complete (if applicable)**Telephone **650-463-8109**

Signature

Date **July 31, 2003****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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